

CITY OF ATLANTA GEORGIA



Substantive Amendment to the 2008 Annual Action Plan of the 2005-2009 Consolidated Plan

**For the
City of Atlanta
Homelessness Prevention and
Rapid Re-Housing Program
(HPRP)**

May 2009

A. General Information

Grantee Name	City of Atlanta
Name of Entity or Department Administering Funds	Department of Finance Office of Grant Services, Grants Management Unit
HPRP Contact Person (person to answer questions about this amendment and HPRP)	Juliana Boyd
Title	Senior Grant Analyst
Address Line 1	Office of Grants Management
Address Line 2	68 Mitchell Street SW, Ste. 15100
City, State, Zip Code	Atlanta, GA 30303
Telephone	404-330-6112, x5072
Fax	404-658-6249
Email Address	jboyd@atlantaga.gov
Authorized Official (if different from Contact Person)	Lee Hannah
Title	Director
Address Line 1	Office of Grant Services
Address Line 2	68 Mitchell Street SW, Ste. 8100
City, State, Zip Code	Atlanta, GA 30303
Telephone	404-330-6632
Fax	404-658-7289
Email Address	lhannah@atlantaga.gov
Web Address where this Form is Posted	http://www.tri-j.net

Amount Grantee is Eligible to Receive*	\$3,441,091
Amount Grantee is Requesting	\$3,441,091

B. Citizen Participation and Public Comment

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

The City of Atlanta is using a two-stage process to implement the HPRP. The first stage covered the development of the Substantive Amendment and timeline for program implementation. The second stage covers proposal review, funding recommendations, project approval, and contract execution. Citizen participation is included in both stages as described below.

The City of Atlanta uses a "Neighborhood Planning Unit" or NPU structure for all of its citizen-participation processes including the Consolidated Plan programs. A brief description of the City's HPRP, with the funding allocation, eligible uses, and timetable, was provided to NPUs in the third week of April 2009. Notice was given that the draft HPRP Substantive Amendment would be available for review and comment at the offices of the Grants Management on April 29, 2009.

By May 4, 2009, forty-one proposals for homelessness prevention and rapid re-housing services were submitted to the City. On May 8, 2009, the City mailed packets to the NPUs containing the cover pages from all proposals, which provided the submitting organizations, the amounts requested, the geographic areas for which services were proposed, and brief descriptions of the project. Full proposals were available to any NPU upon request. NPU comments will be taken into consideration in the formulation of funding recommendations, and citizens will have an opportunity to present their comments to the Community Development Committee of the City Council prior to its approval of the projects and funding recommendations.

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:

- ☒ Grantee did not receive public comments.
- ☒ Grantee received and accepted all public comments.
- ☐ Grantee received public comments and did not accept one or more of the comments.

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

The HPRP Substantive Amendment remained on file for public review at the Office of Grants Management from April 29 through May 14, 2009. No citizen or NPU comments were received during this period. NPUs have an additional opportunity to review and comment on proposals submitted for funding and on the project funding recommendations prior to their adoption by City Council and approval by the Mayor.

C. Distribution and Administration of Funds

1. Check the process that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

☒ Competitive Process

☐ Formula Allocation

☐ Other (Specify: _____)

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Due to the high standards of accountability anticipated for the HPRP, the City limited the pool of eligible applicants to those non-profit organizations that were current recipients of HUD grant funding, either as: 1) subrecipients under one of the City's Consolidated Plan grants, including the Community Development Block Grant, the HOME program, the Emergency Shelter Grant, and the Housing Opportunities for Persons With AIDS program; or 2) recipients of HUD's homeless SuperNOFA funding. Collaborations were permitted between current City/SuperNOFA recipient agencies and non-recipients, if the current grant recipient agency acted as lead entity and fiscal agent. Minimum funding request was set at \$100,000, for contract terms of 24 or 36 months.

The City's planned process was shared with the non-provider provider community in a community-wide meeting of the Tri-Jurisdictional Collaborative on Homelessness on March 18, 2009. Application forms and instructions were issued to eligible applicants via email on April 7, with a due date of May 4.

The forty-one proposals received will be evaluated jointly by the Office of Grants Management and the Office of Human Services, with citizen comments included in the evaluative process. A simplified version of the City's standard proposal rating process will be used to rank-order the proposals and formulate funding recommendations. In June the recommendations will be sent by the Mayor's Office to the Community Development Committee of City Council for action. Citizens will have an opportunity to provide additional input directly to the Committee before HPRP projects and funding levels are approved.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

The Mayor's Office has formed a Stimulus Task Force headed by a senior policy advisor to manage all Stimulus-related activities and to assure that critical actions occur in a timely manner. The Stimulus Task Force meets weekly and its online reporting tool updates on an ongoing basis. Any problems encountered during the legislative process or in contract execution will be reported to the Stimulus Task Force for immediate intervention and resolution.

The following actions will be taken to expedite contracting for the HPRP funding:

- 1) Processing of legislation will begin in mid-summer, prior to receipt of the Grant Agreement, saving several weeks in the legislative process;
- 2) Projects will be set up in the City's accounting system in mid-summer, with funding to be added after the Grant Agreement is executed and appropriation legislation is approved;
- 3) Contracts will be developed and the all phases of the signature process except for final signature will be completed as rapidly as possible, so that execution can be completed immediately upon passage of the appropriation legislation.

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

The City's proposal evaluation process includes an assessment of organizational capacity to implement the proposed activity in a timely and effective manner, based on the organization's experience and on its proposed project plan for HPRP activities. Agencies with demonstrated strengths in timely service provision will be more highly rated in the City's competitive assessment and will be more likely to receive significant HPRP funding.

The City's contracts with the selected non-profit service providers will include performance and expenditure goals that are tied to HPRP reporting requirements and expenditure deadlines. The HPRP contracts will be managed by the Office of Human Services(OHS) , with ongoing monthly reviews of expenditure patterns and client service levels. All HPRP contracts will provide for funding reductions or termination in case of unacceptable performance or expenditure rate. OGM and OHS will meet internally, at least on a quarterly basis but more often if needed, to review progress and determine if funding reallocations or contract modifications are needed.

Early monitoring visits will be conducted jointly by the OHS and the Office of Grants Management (OGM) to address any concerns or problems that service providers may be encountering in project implementation, compliance, or reporting. Problem resolution may include work programs or budget modifications to improve the projects' feasibility and effectiveness, eliminate unanticipated obstacles, or correct performance targets that were originally under- or over-estimated. Follow-up monitoring will occur on a regular basis, but more frequently for those projects experiencing some difficulty.

Part of the HPRP administrative funding of \$172,054 will support a part-time contract administrator in OHS for the 2½-3 year period covered by the program. Administrative funding for subgrantees will be determined after proposal review is completed and project funding levels are developed. Also, to provide administrative support, the City is allocating HPRP funding to support data-entry for the agencies' HPRP clients in the Pathways Community Network HMIS. The provision of data-entry

staff through Pathways will help reduce the administrative burden created by HPRP reporting and will improve the accuracy and consistency of the data.

D. Collaboration

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

The City of Atlanta is planning to seek ARRA funding for the Green Jobs Training program. (Regulations pending at time of this submission.) Training for blue-collar workers in renewable energy and weatherization offers a logical resource for the HPRP client population needing stable employment, and the City will pursue all possible linkages permitted under the Green Jobs program.

The Atlanta/Fulton/DeKalb Emergency Food and Shelter Program (EFSP) will make its funding decisions for its ARRA allocation prior to the City's completion of its HPRP proposal process. The City's HPRP proposal evaluation process will be able to incorporate consideration of the funding allocations made under EFSP, to ensure that resources are used appropriately between these two ARRA funding sources, which serve similar populations and fund many of the same programs.

(See also below response to #D.2.)

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

The City of Atlanta, Fulton County, and DeKalb County comprise the Tri-Jurisdictional Collaborative on Homelessness (Tri-J), which is the CoC organization for this area. The City's initial announcement of its HPRP application process was made at the Tri-J's community-wide March 2009 meeting, and all agencies funded under the CoC SuperNOFA were invited to submit proposals. Collaborative opportunities between funded agencies and other potential partner organizations were encouraged, with specific provisions in the City's RFP for sub-grantee partners.

The City's HPRP materials are posted on the Tri-J Website (www.tri-j.net), and continuing updates on the City's HPRP project selection and implementation will be provided both on the Web and at Tri-J community meetings. HPRP-funded services will be publicized through the extensive Tri-J mailing list and the mailing list of the metropolitan area Regional Commission on Homelessness, and will be shared with the United Way 2-1-1 helpline staff, to ensure that the broader community is made aware of the service possibilities provided through HPRP.

The State of Georgia Department of Community Affairs (DCA) organized a statewide CoC discussion to share HPRP approaches and some possible commonalities such as joint client screening tools. DCA also is encouraging the use of its Georgia Housing Search database for HPRP providers to access affordable housing options. The State's strong SOAR program provides invaluable assistance to service providers in determining which clients cannot be expected to stabilize in housing without significant ongoing support, and in expediting access to mainstream benefits for those in need.

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Specific objectives and strategies for affordable housing and homeless assistance in the 2005-2009 Consolidated Plan relate directly to HPRP.

Objectives include:

- Support housing options for very low-income households.
- Support additional, appropriate housing options for particularly underserved needs.
- Support services that enable the homeless to attain stability, with priority to case management services.
- Support emergency and short-term assistance, including move-in aid.
- Give priority to homeless programs that incorporate aftercare services, including long-term follow-up, support, and counseling, to ensure that the families and individuals whom these programs have successfully transitioned are able to maintain independent living.

Strategies include:

- Helping low-income families avoid becoming homeless.
- Reaching out to homeless persons and assessing their individual needs.
- Helping homeless persons transition to permanent housing and independent living.

To prevent homelessness, the City funds financial counseling and debt management for low-income residents; legal services related to landlord/tenant and eviction issues; and emergency grants for rent, mortgage, and utilities. To help the homeless become rehoused, the City funds outreach; move-in aid; legal services; employment assistance; transportation; mental health services; primary healthcare; childcare; and housing placement. Aftercare services help newly housed persons remain independent through support and intervention when problems arise which threaten their stability. Currently funded providers will identify and refer persons who are appropriate for HPRP assistance, and support HPRP clients with associated services like furnishings, while HPRP will provide a critical new resource for persons who do not need extensive long-term support to regain housing stability.

E. Estimated Budget Summary

HPRP Estimated Budget Summary			
	Homelessness Prevention	Rapid Re-housing	Total Amount Budgeted
Financial Assistance ¹	\$688,220	\$1,238,795	\$1,927,015
Housing Relocation and Stabilization Services ²	\$550,571	\$688,220	\$1,238,791
Subtotal (add previous two rows)	\$1,238,790	\$1,927,015	\$3,165,806

Data Collection and Evaluation ³	\$103,231
Administration (up to 5% of allocation)	\$172,054
Total HPRP Amount Budgeted⁴	\$3,441,095

¹Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

²Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

³Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

⁴This amount must match the amount entered in the cell on the table in Section A titled "Amount Grantee is Requesting."

**CITY OF ATLANTA CITIZEN PARTICIPATION AMENDED PLAN
FOR THE 2008 HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)**

CITIZEN PARTICIPATION REQUIREMENTS	CITY ACTIONS	DATE(S) AND PLACE(S)
<p>I. Furnish citizens with information on the development of the 2005-2009 Consolidated Plan, the amount of funds expected to be available for the coming year for community development and housing activities, the range of activities which may be undertaken with these funds, the estimated amount of funds which will be used to benefit low- and very low-income persons, plans to minimize displacement of persons and to assist any persons displaced, and the types and levels of assistance to persons displaced. Obtain citizens views on policies for the 2005-2009 Consolidated Plan, community development and housing needs, program amendments, the citizen participation plan, and the performance of the grant programs.</p>	<p>A community-wide briefing session held for non-profit service providers and other interested parties to present the City's planned process for the HPRP funding competition.</p>	<p>March 18, 2009</p>
	<p>Proposals distributed to eligible applicants.</p>	<p>Via email April 7, 2009</p>
	<p>All Neighborhood Planning Units provided with description of the HPRP including amount of funding expected, eligible activities, timeline, expenditure guidelines, eligible applicants.</p>	<p>Via email on April 22, 2009</p>
	<p>Draft HPRP Plan on file for citizen review.</p>	<p>April 29, 2009 at Office of Grants Management, 68 Mitchell Street SW, Ste. 15100, Atlanta, GA 30303</p>
	<p>Authorizing Resolution to submit the HPRP Substantive Amendment to the 2008 Annual Action Plan adopted by the Atlanta City Council. Proposals due to the City.</p>	<p>May 4, 2009</p>
	<p>Proposal cover sheets with project name, organization, amount requested, proposed use of funding, service area, and brief description or project, mailed to all NPUs for review.</p>	<p>May 8, 2009</p>
	<p>NPU comments due to Executive Branch.</p>	<p>May 20, 2009</p>
	<p>Recommended HPRP projects presented to City Council Community Development Committee.</p>	<p>July 28/29, 2009</p>
	<p>HPRP projects and funding levels adopted by City Council.</p>	<p>August 17, 2009</p>

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

***2. Type of Application**

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

GAO7H06-F007

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Atlanta, Georgia

*b. Employer/Taxpayer Identification Number (EIN/TIN):

5860000551

*c. Organizational DUNS:

DUNS# 0653725000

d. Address:

*Street 1: 68 Mitchell Street SW, Ste. 15100

Street 2: _____

*City: Atlanta

County: Fulton

*State: Georgia

Province: _____

*Country: USA

*Zip / Postal Code 30303

e. Organizational Unit:

Department Name:

Department of Finance

Division Name:

Office of Grant Services, Grants Management

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms. *First Name: Juliana

Middle Name: J.

*Last Name: Boyd

Suffix: _____

Title: Senior Grant Analyst

Organizational Affiliation:

City of Atlanta, Dept. of Finance, Office of grant Services, Grants Management

*Telephone Number: 404-330-6112, x5072

Fax Number: 404-658-6249

*Email: jboyd@atlantaga.gov

Application for Federal Assistance SF-424	Version 02
*9. Type of Applicant 1: Select Applicant Type: C. City or Township Government Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: *Other (Specify)	
*10 Name of Federal Agency: U. S. Department of Housing and Urban Development	
11. Catalog of Federal Domestic Assistance Number: <u>14.257</u> CFDA Title: <u>Homelessness Prevention and Rapid Re-Housing Program (HPRP)</u>	
*12 Funding Opportunity Number: *Title: 	
13. Competition Identification Number: Title: 	
14. Areas Affected by Project (Cities, Counties, States, etc.): City of Atlanta, Fulton County, DeKalb County, Georgia	
*15. Descriptive Title of Applicant's Project: City of Atlanta Homelessness Prevention and Rapd Re-Housing Program	

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: 4 th and 5th	*b. Program/Project: 4 th and 5th	
17. Proposed Project:		
*a. Start Date: 9-30-2009	*b. End Date: 9-29-2012	
18. Estimated Funding (\$):		
*a. Federal	3,441,091.00	
*b. Applicant	0	
*c. State	0	
*d. Local	0	
*e. Other	0	
*f. Program Income	0	
*g. TOTAL	3,441,091.00	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <u>5-14-2009</u>		
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
<input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<p>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)</p> <p><input checked="" type="checkbox"/> ** I AGREE</p> <p>** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions</p>		
Authorized Representative:		
Prefix: <u>Mr.</u>	*First Name: <u>Lee</u>	
Middle Name: <u>---</u>		
*Last Name: <u>Hannah</u>		
Suffix: <u> </u>		
*Title: Director, Office of Grant Services		
*Telephone Number: 404-330-6632		Fax Number: 404-658-7289
* Email: lhannah@atlantaga.gov		
*Signature of Authorized Representative:		*Date Signed: May 14, 2009

Homelessness Prevention and Rapid Re-Housing Program (HPRP) Certifications

The HPRP Grantee certifies that:

Consolidated Plan – It is following a current HUD-approved Consolidated Plan or CHAS.

Consistency with Plan – The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Confidentiality – It will develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

Discharge Policy – A certification that the State or jurisdiction has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

HMIS – It will comply with HUD's standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.

Signature, Authorized Official: _____ Date: May 14, 2009

Title: Director, Office of Grant Services

GENERAL CERTIFICATIONS FOR STATE OR LOCAL GOVERNMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the state, territory, or local government certifies that:

Affirmatively Further Fair Housing -- The state, territory, or local government will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction or state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Drug-Free Workplace --It will or will continue to provide a drug-free workplace by:

- 1 Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2 Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3 Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
- 4 Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- 5 Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 6 Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency;
- 7 Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying --To the best of the state, territory, or local government's knowledge and belief:

- 1 No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3 It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Local Government, State, or Territory --The submission of the consolidated plan is authorized under state law and local law (as applicable) and the jurisdiction or state possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with Plan -- The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official: _____ Date: May 14, 2009

Title: Director, Office of Grant Services

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

- 1 By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
- 2 The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- 3 Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
- 4 Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
- 5 If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
- 6 The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

68 Mitchell Street SW, Atlanta, GA 30303

675 Ponce de Leon Avenue, Atlanta, GA 30308

Check ☒ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

- 7 Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).